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JERRY PICKETT

**UNITED STATES DISTRICT COURT,  
DISTRICT OF ARIZONA**

JERRY PICKETT,	)	<b>Case No.:</b>
	)	
Plaintiff,	)	<b>COMPLAINT AND DEMAND FOR</b>
	)	<b>JURY TRIAL</b>
v.	)	
	)	<b>(Unlawful Debt Collection Practices)</b>
CENTRAL CREDIT SERVICES, INC.,	)	
	)	
Defendant.	)	

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**PLAINTIFF'S COMPLAINT**

JERRY PICKETT (Plaintiff), through his attorneys, KROHN & MOSS, LTD., alleges the following against CENTRAL CREDIT SERVICES, INC. (Defendant):

**INTRODUCTION**

1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, *15 U.S.C. 1692 et seq.* (FDCPA).

**JURISDICTION AND VENUE**

2. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."
3. Defendant conducts business in the state of Arizona, and therefore, personal jurisdiction is established.
4. Venue is proper pursuant to *28 U.S.C. 1391(b)(2)*.

**PARTIES**

5. Plaintiff is a natural person residing in Queen Creek, Arizona.
6. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)*.
7. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)*, and sought to collect a consumer debt from Plaintiff.
8. Defendant is a collection agency and conducts business in Arizona.
9. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

**FACTUAL ALLEGATIONS**

10. Defendant constantly and continuously places collection calls to Plaintiff seeking and demanding payment for an alleged debt.
11. Defendant calls Plaintiff on his cellular telephone at (480) 353-6983, from telephone number (904) 562-6655.
12. Defendant started calling Plaintiff in May 2011 but stopped calling after Plaintiff requested that Defendant cease placing such calls to him.
13. However, Defendant resumed calling Plaintiff in July 2011.
14. On July 25, 2011, Defendant called Plaintiff at 5:04pm. During this conversation, Defendant made a settlement offer to Plaintiff which Plaintiff did not accept.
15. At 5:08pm on that same day, Defendant called Plaintiff right back and called him a “coward.” Plaintiff informed Defendant that it was not a convenient time for him to discuss the matter and asked Defendant to call him after 6pm.
16. Despite Plaintiff request, Defendant called Plaintiff a third time at 5:09pm, yelling Plaintiff’s last name, “Pickett”, into the telephone.

**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

17. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692c(1) of the FDCPA by calling Plaintiff at a time known to be inconvenient to Plaintiff by calling Plaintiff at 5:09pm when Plaintiff requested that Defendant call him after 6pm.
- b. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of this is to harass, abuse, and oppress the Plaintiff.
- c. Defendant violated §1692d(5) of the FDCPA when Defendant caused Plaintiff's telephone to ring repeatedly and continuously with the intent to annoy, abuse, and harass Plaintiff.

WHEREFORE, Plaintiff, JERRY PICKETT, respectfully requests judgment be entered against Defendant, CENTRAL CREDIT SERVICES, INC., for the following:

18. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*,
19. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, *15 U.S.C. 1692k*
20. Any other relief that this Honorable Court deems appropriate.

**DEMAND FOR JURY TRIAL**

Plaintiff, JERRY PICKETT, demands a jury trial in this cause of action.

1 RESPECTFULLY SUBMITTED,

2  
3 DATED: August 12, 2011

KROHN & MOSS, LTD.

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5 By: /s/Ryan Lee

6 Ryan Lee, Esq.  
7 Attorney for Plaintiff  
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**VERIFICATION OF COMPLAINT AND CERTIFICATION**

STATE OF ARIZONA

Plaintiff, JERRY PICKETT, states as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.

Pursuant to 28 U.S.C. § 1746(2), I, JERRY PICKETT, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

DATE: 8/9/2011

  
JERRY PICKETT